

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:19-cv-01070-DLF**

COLE v. COPAN et al  
Assigned to: Judge Dabney L. Friedrich  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/16/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****DAVID COLE**

represented by **John M. Clifford**  
CLIFFORD & GARDE LLP  
1828 L St., NW  
Suite 500  
Washington, DC 20036  
(202) 280-6115  
Fax: (202) 289-8992  
Email: [jclifford@cliffordgarde.com](mailto:jclifford@cliffordgarde.com)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**WALTER G. COPAN**  
*DR., in his official capacity as Director of  
the National Institute for Standards and  
Technology*

represented by **Paul Cirino**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
Room 5241  
Washington, DC 20540  
(202) 252-2529  
Fax: (202) 252-2599  
Email: [paul.cirino@usdoj.gov](mailto:paul.cirino@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**NATIONAL INSTITUTE OF  
STANDARDS AND TECHNOLOGY**

represented by **Paul Cirino**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/16/2019	<u>1</u>	COMPLAINT <i>for Injunctive Relief</i> against All Defendants ( Filing fee \$ 400 receipt number 0090-6064036) filed by DAVID COLE. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons for Service on Attorney General, # <u>3</u> Summons for Service on Defendant NIST Director Copan, # <u>4</u> Summons for Service on U.S. Attorney)(Clifford, John) (Attachment 1 replaced on 4/17/2019) (zef, ). (Entered: 04/16/2019)
04/17/2019		Case Assigned to Judge Dabney L. Friedrich. (zef, ) (Entered: 04/17/2019)
04/17/2019	<u>2</u>	SUMMONS (3) Issued Electronically as to WALTER G. COPAN, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef, ) (Entered: 04/17/2019)
05/08/2019	<u>3</u>	REQUEST FOR SUMMONS TO ISSUE filed by DAVID COLE. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons)(Clifford, John) (Entered: 05/08/2019)

05/10/2019	<u>4</u>	SUMMONS (3) Reissued Electronically as to WALTER G. COPAN, U.S. Attorney and U.S. Attorney General. (Attachment: # <u>1</u> Notice and Consent)(tth) (Entered: 05/10/2019)
07/18/2019	<u>5</u>	NOTICE of Appearance by Paul Cirino on behalf of All Defendants (Cirino, Paul) (Entered: 07/18/2019)
08/05/2019	<u>6</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by WALTER G. COPAN, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) (Entered: 08/05/2019)
08/05/2019		MINUTE ORDER granting the defendants' <u>6</u> Consent Motion to Extend Time to Answer Complaint. It is ORDERED that the defendants shall file a response to the plaintiff's complaint on or before September 13, 2019. Signed by Judge Dabney L. Friedrich on August 5, 2019. (lcldf1) (Entered: 08/05/2019)
09/13/2019	<u>7</u>	ANSWER to Complaint by WALTER G. COPAN, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.(Cirino, Paul) (Entered: 09/13/2019)
09/16/2019		MINUTE ORDER directing the parties to MEET AND CONFER and file a joint status report proposing a schedule for further proceedings on or before October 7, 2019. So Ordered by Judge Dabney L. Friedrich on September 16, 2019. (lcldf1) (Entered: 09/16/2019)
09/16/2019		Set/Reset Deadlines: Joint Status Report due by 10/7/2019. (zcal) (Entered: 09/16/2019)
10/07/2019	<u>8</u>	Joint STATUS REPORT by WALTER G. COPAN, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY. (Cirino, Paul) (Entered: 10/07/2019)
10/10/2019		MINUTE SCHEDULING ORDER. Upon consideration of the parties' <u>8</u> Joint Status Report, it is ORDERED that the following schedule shall govern further proceedings: the defendants' motion for summary judgment shall be filed on or before November 21, 2019 and shall include a Vaughn Index; the plaintiff's combined cross-motion for summary judgment and opposition to the defendants' motion for summary judgment shall be filed on or before December 21, 2019; the defendants' combined opposition to the plaintiff's cross-motion for summary judgment and reply in support of its motion for summary judgment shall be filed on or before February 4, 2020; and the plaintiff's reply in support of its cross-motion for summary judgment shall be filed on or before March 4, 2020. So Ordered by Judge Dabney L. Friedrich on October 10, 2019. (lcldf1) Modified on 10/15/2019 (zcal). (Entered: 10/10/2019)
11/21/2019	<u>9</u>	MOTION for Summary Judgment by WALTER G. COPAN, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration of Catherine S. Fletcher, # <u>4</u> Text of Proposed Order)(Cirino, Paul) (Entered: 11/21/2019)